

Minutes of the Board of Adjustment meeting held on Thursday, May 23, 2013, at 5:30 p.m. in the Murray City Municipal Council Chambers, 5025 South State Street, Murray, Utah.

Present: Travis Nay, Chair
Tom Halliday, Vice-Chair
Rosi Haidenthaller
Preston Olsen
Tim Tingey, Administrative & Development Services Director
Ray Christensen, Senior Planner
G.L. Critchfield, Deputy City Attorney
Citizens

Excused: Roger Ishino

The Staff Review meeting was held from 5:15 to 5:30 p.m. The Board of Adjustment members briefly reviewed the applications. An audio recording is available for review in the Community & Economic Development office.

Travis Nay explained that variance requests are reviewed on their own merit and must be based on some type of hardship or unusual circumstance for the property and is based on state outlined criteria, and that financial issues are not considered a hardship.

APPROVAL OF MINUTES

Rosi Haidenthaller made a motion to approve the minutes from April 22, 2013 as submitted. Preston Olsen seconded the motion.

A voice vote was made. The motion passed, 4-0.

CONFLICT OF INTEREST

There were no conflicts of interest for this agenda.

CASE #1469 – SPRINT – 1326 East 5600 South – Project #13-68

Rick Schutjer was the applicant present to represent the request. Ray Christensen reviewed the location and request for an expansion of a nonconforming communications facility located in the C-N-C zone at the property addressed 1326 East 5600 South. Murray City Code 17.52.040 allows for a building or structure occupied by a nonconforming use, or a building nonconforming as to height, area or yard regulations to be added to, enlarged or moved to another location on the lot subject to authorization by the Board of Adjustment. This communications facility was constructed in the Salt Lake County before the area was annexed into Murray City. Sprint is proposing to modify and upgrade the existing antennas and ground based equipment by replacing them with similar sized antennas, radio cabinets and battery backup cabinets. Six of the exiting five-foot length antennas are changing to three six-foot length antennas. Based on review and analysis of the application material, subject site and surrounding area, and applicable Murray Municipal Code sections, the Community and Economic Development Staff finds that the proposal meets the standards for a variance. Therefore, staff recommends approval with the following condition:

1. The applicant shall obtain the necessary building permit prior to construction.

Tom Halliday stated that the map submitted by the applicant contains incorrect street names, and that he wants to ensure that the Board is not approving this proposal for a

site on Center Street as noted on the drawing. Mr. Christensen confirmed that the drawing submitted by the applicant has incorrect street names, however the rest of the details are correct as far as location of the cell tower in relation to the existing fuel station. He said that the correct address should be stated in the motion for clarification.

Rock Schutjer, 4190 Camille Street, stated that the plans submitted for a building permit have been corrected to reflect the right address. He confirmed that the footprint for the property is correct on the map. Rosi Haidenthaller asked if there has been any problem with vandalism of property due to the proximity to the high school. Mr. Schutjer responded that he is not aware of any vandalism problems.

There were no comments from the public related to this item.

Tom Halliday made a motion to approve an expansion of a nonconforming communications facility, located specifically at 1326 East 5600 South, subject to condition:

1. The applicant shall obtain the necessary building permit prior to construction.

Seconded by Rosi Haidenthaller.

Call vote recorded by Ray Christensen.

A ☐ Preston Olsen
A ☐ Travis Nay
A ☐ Rosi Haidenthaller
A ☐ Tom Halliday

Motion passed, 4-0.

Rosi Haidenthaller made a motion to approve the Findings of Fact as written by staff.
Seconded by Tom Halliday.

A voice vote was made. Motion passed, 4-0.

Meeting adjourned.


Chad Wilkinson, Manager
Community & Economic Development